

IFW

D-3077



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

Applicant:) Group Art Unit: 3743
Pflueger et al)
Serial No: 10/624,915) Examiner:
Filed: July 22, 2003) Ragonese, Andrea M
For: APPARATUS AND METHODS)
FOR TREATING SLEEP APNEA)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Date

November 3, 2004
Janet McGree

RESPONSE A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application has been carefully reviewed in light of the Examiner's communication mailed on October 4, 2004.

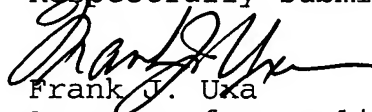
Election has been required between twenty-eight (28) species of the invention identified by the Examiner. Applicant hereby elects, with traverse, Species VI, Figs. 7 and 26, for prosecution on the merits at this time.

Claims readable on elected Species VI are: Claims 1-11, 13-38, and 40-61.

Applicant reserves the right to prosecute the remaining species of invention at a later date. Applicant also recognizes that upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species as provided by 37 CFR 1.141.

Applicant respectfully requests early and favorable action in the above-identified application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Frank J. Uxa", is written over the typed name.

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